

FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/29/2013

LEAH SABATINO appeared at the United States Attorney's Office in Philadelphia, Pennsylvania in preparation for her anticipated testimony in the scheduled trial of defendant JOSEPH MEEHAN. Present during the meeting were Special Agent (SA) John David Coyle, Assistant United States Attorney (AUSA) Richard Lloret and AUSA Alicia Freind. During the meeting, SABATINO was provided with a small package of crackers. In addition to information SABATINO previously provided in other interviews documented elsewhere in the file, SABATINO provided the following information:

In previous interviews, SABATINO had referenced an abandoned house where she sometimes stayed prior to the February 2011 robbery of CVS Pharmacy. SABATINO was able to specify the address of the abandoned residence as 5907 Hegerman Street in Philadelphia.

In previous interviews, SABATINO had discussed the 02/17/2011 arrest of MEEHAN and herself at the Riviera Motel in Pennsauken, New Jersey.

SABATINO was asked to clarify what she saw versus what she heard during the arrest. SABATINO saw one of the arresting agents kick one of MEEHAN's crutches from under him, causing MEEHAN to fall. SABATINO was then separated from MEEHAN by another agent. Now separated from the scene of MEEHAN's arrest, SABATINO heard MEEHAN screaming, but could not see what was happening while agents were taking MEEHAN into custody. An FBI agent walked over to SABATINO, and SABATINO began telling the agent she was just a prostitute and did not know anything. The agent "yelled" at SABATINO, and warned her not to lie. At this point, SABATINO admitted to the agent she had been in the motel room with MEEHAN, and she had pills in her bag in the room. SABATINO was then transported to the Pennsauken Police Department, where she was interviewed by SA Coyle.

SABATINO continues to struggle with her addiction to illegal drugs.

SABATINO is using heroin on a daily basis. She takes the drug once when she gets up and once before bed to help her feel "normal." SABATINO knows she needs to check herself into a detox facility, in order to deal with the inevitable physical sickness she will experience when she stops taking the drug.

GOVERNMENT
EXHIBIT
366

Investigation on 05/29/2013 at Philadelphia, Pennsylvania, United States (In Person)File # 192B-PH-108387Date drafted 05/29/2013by John David Coyle

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

USA002581

FD-302a (Rev. 05-08-10)

192B-PH-108387

Continuation of FD-302 of Interview of Leah Sabatino, On 05/29/2013, Page 2 of 2

EXHIBIT

D-2

DAVID E. SHAPIRO

ATTORNEY AT LAW

1429 WALNUT STREET, SUITE 1301
PHILADELPHIA, PA 19102

(215) 816-3935 • FAX: (215) 689-4588
E-MAIL: dshap66@comcast.net
Skype Video - david.shapiro1429

February 28, 2017

Joseph Meehan
Register Number: 67675-066
USP Hazleton
U.S. Penitentiary
P.O. BOX 2000
Bruceton Mills, WV 26525

Re: Government Exhibit 366 from your Post Trial Motions Hearing

Dear Joe:

Attached to this letter are 2 documents; Exhibit 1 is the first page of an FBI 302 dated May 29, 2013 with a sticker in the lower right-hand corner indicating that it was Government Exhibit 366 from your Post Trial Motions Hearing. This Exhibit states that it was prepared as a result of a pre-trial preparation meeting between Leah Sabatino, and government prosecutors and investigators. The relevant portion of Exhibit 1 is the last paragraph which is highlighted. Exhibit 2 is a copy of an email which I received from the Government on June 7, 2013 at 8:27 AM with a subject line stating "recently discovered information - Andrews and Sabatino." This Exhibit also states that it was prepared as a result of a pre-trial preparation meeting between Leah Sabatino, and the government. Exhibit 2 makes no mention of Exhibit 1 even though Exhibit 1 is dated one week prior.

The purpose of this letter is to respond to your question; whether I received Exhibit 1 from the government before or during your trial.

I never saw Exhibit 1 until your attorney Michael Farrell emailed it to me during your Post Trial Motions Hearing. Mr. Farrell sent it to me after I had completed my direct and cross-examination at your Hearing. Neither Mr. Farrell nor the government questioned me about Exhibit 366. Mr. Farrell sent me only page 1, I have no idea what page 2 states. However, Mr. Farrell and I

Joseph Meehan
Register Number: 67675-066
USP Hazleton

Re:

February 28, 2017

Pg. - 2

then had a telephone conversation in which he told me that it appeared to him that Exhibit 366 reflected the eventual trial testimony of FBI Agent John Coyle, regarding the good impression he thought Sabatino would make on the jury as a witness if she were high on heroin, as opposed to the bad impression she would likely make being "dope sick" due to a lack heroin. I told Mr. Farrell that the only communication I had with the government regarding its pre-trial preparation of Sabatino was the information reflected in Exhibit 2.

Assuming Mr. Farrell's description of the content of Exhibit 1 is accurate, and also assuming we had been provided with Exhibit 1 in a timely manner our trial strategy, cross examination of Sabatino, jury arguments, and our Post Trial Motions would have been different. FBI Agent Coyle testified long after Sabatino. There is a substantial difference between the content of Exhibit 2 and the trial testimony of FBI Agent Coyle regarding his concern that Sabatino would make very good impression on the jury if she were high on heroin, as opposed to the bad impression she would make on the jury being "dope sick" due to a lack heroin.

A perfect example is in connection with Sabatino's failure to appear when she was first scheduled to be a government trial witness. A Contempt Hearing was held before the Court to determine whether Sabatino should be detained in custody until she testified. If Exhibit 1 provided the type of detail reflected in FBI Agent Coyle's testimony we would have had a factual basis to argue to the Court that Sabatino should have been detained until she testified. The government made only a perfunctory argument for Sabatino's detention failing to disclose the information in its possession consistent with what it knew as reflected in either FBI Agent Coyle's testimony or Exhibit 366. I stood silent because I did not have the evidence reflected in Exhibit 1. The Court, without full information released Sabatino. The next morning the FBI drove Sabatino to Court. When she testified she acknowledged that she was high on Heroin for the purpose of making a good impression. It is fair to assume that if Sabatino had been detained, when she testified she would have been "dope sick" most likely making the bad impression FBI Agent Coyle was worried about.

Joseph Meehan
Register Number: 67675-066
USP Hazleton

Re:

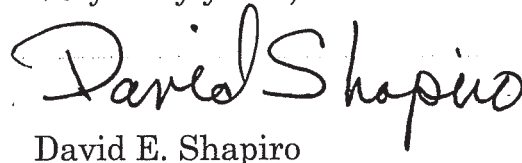
February 28, 2017

Pg. - 3

In response to the seriousness of your inquiry and its implications I checked; (1) all of my files regarding your case to ascertain the presence of Exhibit 1; (2) the Government's response to our Post Trial Motion to ascertain whether the government discussed Exhibit 1; and (3) all of the incoming emails in both my account and my son Michael's account between May 29, 2013 and June 7, 2013 to ascertain whether he or I received Exhibit 1. In reviewing my files I could not find any evidence that I received Exhibit 1, in response to our Post Trial Motion the government never mentioned the existence of Exhibit 1, and if Exhibit 1 is not contained in either email account during the aforementioned time period or at any other time. The bottom line is that I believe we never received Exhibit 1 from the government.

I hope this information is helpful. If I can be of further assistance on this issue please feel free to contact me.

Very truly yours,


David E. Shapiro

EXHIBIT

D-3

Transcriptions

Telephone call between Joseph Meehan and Leah Sabatino

Date of call: September 18, 2015

Time: Approximately 20:37

Call length: 14 minutes, 43 seconds

Date of transcription: March 25, 2016

Transcribed by: SA Charles Kincaid

Participants:

JM – Joseph Meehan

LS – Leah Sabatino

O – Operator

UI – Unintelligible

LS: Hello

O: You have a prepaid call. You will not be charged for this call. This call is from, (*male's voice*) 'Joey Meehan,' an inmate at a Federal prison. This call is being recorded and is subject to monitoring. Hang up to decline the call, or to accept, dial five now. If you wish to... (*number pressed*)

LS: Hey.

JM: Yo, what are you doing?

LS: What are you doing? I only got like 30 minutes, it's a prepaid phone

JM: Ight, I can only get, I, I can only stay on 15 minutes and then it hangs up anyway.

LS: Okay.

JM: Ight, and I only get, I can only call once an hour, so I can't even call you back because we're locked in at 9:30.

LS: Oh.

JM: Are you alright?

LS: Yeah, I'm okay. Um, better.

JM: Are you getting high?

LS: Yeah, once and a while. I'm not out on the corner though.

JM: Don't give me 'once and a while' shit. What are you talking about?

LS: I don't do it every day. I don't have the habit. I only do it once every...

JM: Listen...

LS: Huh?

JM: Baby... baby

LS: What?

JM: Don't you think you're going to get a habit?

LS: Yes, I know I'm going to get a habit.

JM: Alright, so what are you doing?

LS: I don't know.

JM: Just... I know it's hard. Look, listen. I know...

LS: It's just since I came back around here, Joe.

JM: Who?

LS: Every since I came back here.

JM: So where were ya? Why didn't you stay where you were?

LS: I was living in Chester, but I stabbed myself in the chest.

JM: Why?

LS: I tried to kill myself. UI... we got in a fight and he punched me in the head, and...

JM: That same jerk-off that Joey beat up?

LS: Huh?

JM: The same jerk-off that Joey beat up?

LS: Yeah.

JM: Stay away from 'em, baby.

LS: I am, I am. He's in Chester, and I'm here, um, back at my mom's.

JM: Ight. How's she doing? She mad you talking to me?

LS: No.

JM: Listen, listen...

LS: What?

JM: I'm ready, I'm ready to come home.

LS: I'm, I'm ready for you to come home.

JM: Listen to me...

LS: I've been ready for like three years...

JM: I'm going, I'm going to give my lawyer your phone number tomorrow. Keep this, keep this phone number, or let...

LS: Okay.

JM: Let Heather know where to get ya. Cause we're getting, we're gonna subpoena, when, listen, this is important that I need to know. When, when they, remember when you ran the first day?

LS: Yeah.

JM: And you came back.

LS: Right.

JM: What did you... and they told you they were going to hold you in jail that night.

LS: Yeah, they told me they were going to keep me for a year.

JM: And, and what did you tell them? That we were...

LS: I told them that I didn't want to go on the stand against you. That I loved you, and I couldn't...

JM: I know that, but...

LS: UI

JM: ... but about getting high? Did you tell Coyle...

LS: No, they told me they would help me, but they never did.

JM: Right, but did you tell Coyle, or any of them, that you needed to get high?

LS: That I was sick? Yeah.

JM: That day?

LS: Yeah.

JM: Because that's what the judge is going to ask you. And because, because you told them that... Coyle got took off the case, everyone got fired off this case because of this whole heroin thing, because it came out, because Coyle testified after you that he told the Government that you needed to get high, and everybody knew, but they weren't allowed to let you get up there like that. They never told us, so which is great for me because they never told us, but we're going to subpoena you so you can tell the judge that.

LS: Okay.

JM: But, it, I don't want you to be high, baby. I don't want you getting high. I...

LS: I know.

JM: ... just listen. I could literally be home within six months. Do you understand that? And then I... me and you are packing up and leav... don't tell Heather that... but we lea...

LS: I'm not telling her nothing.

JM: Alright, well if you see her, be nice to her and all, because she's been good...

LS: Oh...

JM: ... You know what I mean?

LS: I am, I always am.

JM: I know, but just...

LS: She was driving down the street so. Cause I seen her a long time ago when she first got that car. So when I go up and I saw it was her, I recognized ya, cause I thought it was somebody else.

JM: Right. Yo...

LS: But... what?

JM: I couldn't hear ya because it was giving that recording. But you, alright, look. My lawyer, I'm going to tell him to contact, can he contact you through this phone? You going to have money on there?

LS: Um, yeah, I've got to put money on there tomorrow.

JM: Don't, listen, listen... can you not get high? Please?

LS: Alright.

JM: I know it's hard, baby, I know it is hard. But you know what's gonna happen if you keep ge...

LS: I know.

JM: Just start go to meetings, when I come home, you won't need to get high when I'm there. But you didn't need to get high while I was there, you were getting clean.

LS: Right.

JM: You know what I mean? We were having fun. It ain't even like...

LS: Right.

JM: ... you know what I'm saying.

LS: Yeah.

JM: So just hang in there. You've got me so worried about you all the time, and it's... you shouldn't, like, even if you are, I know it's, it's hard to just say, "drop me a line," when you're running around...

LS: Right.

JM: ... but let me know you're okay. Like I didn't know if you were dead, I didn't know where you were. And what's this crazy shit, I, I'll talk to ya at another time, not on the phone, but about me hiring somebody, that's insane, ya know.

LS: UI, yeah (laughter), no.

JM: That's what I mean about all these rumors. Like rumors are just insane.

LS: Right. I told, I told you that before, remember.

JM: I know, I know.

LS: But they was joking around that you succeeded this time, because I flat-lined, but they brought me right back.

JM: I'm, I'm gonna go say thank you to God when we hang up.

LS: Yeah. I've, I've been going to church every Saturday, I read my bible now.

JM: UI, how's Minnie doing?

LS: She's doing great, man. She's 12-years-old, she's 5'2", 92 pounds.

JM: She's taller than you (laughter).

LS: Yeah, everybody, shut up. She's almost as tall as you, right? You're 5'3"?

JM: No, I'm fucking 5'7".

LS: No, no, you're shorter than that.

JM: I'm 5'7". Believe me, it was all through the trial.

LS: Yeah, but she's doing good. She's got a body to die for, so I need you to come home so you can start fucking wreaking boys.

JM: I, listen, it's gonna happen soon. Like it's, it's, everything, I, I don't want to say too much on these phones because they twist shit around and all that.

LS: Uh huh.

JM: And, know what I mean?

LS: I miss you, Joe. I'm glad you doing alright.

JM: I miss you. I really missed you. Like I was...

LS: Hea... Heather was like, "Write something in this so he'll know it's you." I say, "You don't even have to tell me."

JM: As soon as I seen it, I was like, "Damn," I knew, you know what I mean.

LS: I hope you're happy as shit when you got it.

JM: Yeah, good. Did, um, alright good. So you getting money on there tomorrow, cause I'm gonna call you tomorrow again.

LS: Yeah, definitely.

JM: What time's good?

LS: Um, anytime. Tomorrow's Saturday.

JM: Alright, matter of fact, I'm gonna see my lawyer in the morning about probably around 11:00, I'll call you after that, around, in the afternoon.

LS: Okay.

JM: You're going to church then, it's Saturday.

LS: I'm going Saturday, we go at night time, we go at like 5:00.

JM: Alright, you and the whole family?

LS: Yeah.

JM: Alright, I'm going to call you before that though. And, I'll probably call you again at night time.

LS: Okay.

JM: Just be good. Alright?

LS: I will.

JM: I know, I know it's hard. You got to understand, I know it's hard. But, just a few months, just a few, just give me some time to get home. Like I'm literally almost home, so just chill. Alright?

LS: Yes, sir.

JM: I'm outta here, like we're just packing up and leaving.

LS: I'm with that.

JM: I'm, like out to the Midwest somewhere, like Idaho, or fucking, I've got family in Montana, out in the mountains, and we'll just fucking live normal.

LS: Whatever that may be.

JM: We'll run naked through the mountains.

LS: You're probably all big and buff now, buffer than you were.

JM: I'm actually, I'm, I'm like the same weight, I'm probably a little more cut up. But, I'm heavier now because I can't lose...

LS: You're all muscle.

JM: No, because I was in the wheelchair for like eight months, five, seven months.

LS: Oh, Joe, you a little chubba-wubba.

JM: No, I'm not. I'm just, I can't, I got a little bulk to me that I can't lose. Like, you know what I mean?

LS: Oh, that's your spare tire, Joe.

JM: I'm, I was like 170 then. Now I'm like 195.

LS: That's your spare tire, baby.

JM: I've got a little spare tire, but, I'm getting old, come on, I mean, I'm 45-years-old. I'm allowed to have a spare tire, I'm lucky to still be alive at this age.

LS: That's cause you're in a jail the whole time.

JM: You heard about...

LS: I can't defend you.

JM: ... little Joey?

LS: Oh, yeah, Joe, I told Heather, "I'll do what I can do," but, there's not much.

JM: Yeah, I mean, na, he's good, he's alright.

LS: I mean, that's fucked up, man. That's fucked up. I told her, "All they have to do is look at the videotape." And that should be on his side, you know what I'm saying?

JM: Yeah. I don't even know what happened because I can't talk on these phones, so.

LS: Yeah.

JM: But how are you? I mean...

LS: I'm doing okay, I'm doing okay. I fucking hate the bitch. I, every day we fight, Joe.

JM: Listen, I don't care, because she's, listen...

LS: Every fucking day we, UI.

JM: Listen to me though, but you've got to understand, she probably worried, you're her daughter. She's probably worried about all day at work if you're out getting high or, she loves you.

LS: Well, all the times she's told me, all the times she's told me to go kill myself, Joe. I think, when she got that phone call that...

JM: That killed her.

LS: ... I think that lit the fire under her ass, Joe.

JM: That killed her. Because, let me tell you something, I wrote my dad when I found out little Joey was in jail...

LS: Mm, hmm.

JM: I wrote my dad an apology. I said, "I'm so sorry for all I ever fucking put you through with all this jail bullshit because I never knew," like I always used to say to him, "What do you care? I'm the one doing the time. Like what the fuck does it matter to you?" But, but, but, but now that Joey was locked up, I was, I was, that was the most sickening feeling I ever felt in my life, so I know how she feels. You got to understand, she loves you. And you're killing her. Like it's killing her to watch you kill herself.

LS: Right.

JM: So, you know what I mean, don't get mad at her. Just thank her, thank her for taking care of Minnie. You know what I mean?

LS: I do. I do. I give her a kiss, and I say thank you every night.

JM: She still hate me?

LS: Yeah.

JM: Why does she hate me so much?

LS: I, I don't know. I think, guess because I talked you up about how good you were and I get put in jail because of you. Maybe?

JM: No. No, that's not it.

LS: She has a worse enemy, she don't like Darnell anymore, so her focus is on him now.

JM: Who? That jerk-off that Joey beat up?

LS: Yeah.

JM: I was calling that 400 number for so long. Still I call, I call, every couple days I called it.

LS: Yeah, I just found the phone that number belonged to.

JM: Alright, well keep this phone. Keep it on.

LS: I will. I will.

JM: Alright, even if, no matter what. And you're at your mom's?

LS: Yes, sir.

JM: Alright, good.

LS: Yeah.

JM: Ya sound good. Where you at right now?

LS: Um, walking back and forth, from the corner to the house, like from mom's house...

JM: Why?

LS: ... from my house to my corner.

JM: Oh, alright.

LS: Pacing back and forth.

JM: Ah, that's okay, pace back and forth.

LS: I'm not allowed to go nowhere, Joe.

JM: Good. You shouldn't be, you shouldn't be allowed to go nowhere. I'm going to keep you on my hip, look, I'm going to keep you on my hip for months until I trust you.

LS: That's fine. Cause if it goes back to how it was before you left, I'm cool with that.

JM: Alright, that's where it's going to go.

LS: I get exercise every day, I'm good.

JM: And we're leaving. Alright?

LS: Yes, sir. What I'm here for.

JM: I hope. I thought I lost, I thought something really happened to you.

LS: Na, um, nope. They don't want me yet, man.

JM: Well good.

LS: I tried. They don't want me yet. So, Beano died.

JM: Who?

LS: Beano.

JM: Overdose?

LS: Yeah, a couple of weeks ago.

JM: And you heard Pete died? Everybody dies.

LS: Everybody, yeah, everybody that I was with died. My cousin Sidney 'OD.'

JM: Yeah.

LS: He's dead.

JM: That's what I mean. Like, come on.

LS: Yeah. Well listen, my mom is summoning up the porch.

JM: Alright. So, I'll call you tomorrow.

LS: So, give me a call tomorrow. Alright?

JM: I love ya, I love ya. I miss you.

LS: I love you, too.

JM: I miss ya, baby. So glad you're alright.

LS: Miss you, too.

JM: Alright, I'm gonna talk to the lawyer tomorrow, and uh, I'll be in touch with you, but he'll probably be in touch with you, too. For, to find out when you're coming.

LS: Okay.

JM: He'll probably get in touch with Sarnier, and she'll probably get in touch with you.

LS: Okay.

JM: Alright? Alright, I love you, be good, stay in.

LS: I Love you, too. See you, Joe.

JM: I'll call you tomorrow.

LS: Alright, baby. Yep.

JM: Alright, bye-bye.

LS: Bye.